

LEGISLATURE OF NEBRASKA

NINETY-NINTH LEGISLATURE

SECOND SESSION

LEGISLATIVE BILL 944

Introduced by Synowiecki, 7; Connealy, 16; Foley, 29; Kopplin, 3

Read first time January 6, 2006

Committee: Health and Human Services

A BILL

1 FOR AN ACT relating to the Welfare Reform Act; to amend section
2 68-1724, Reissue Revised Statutes of Nebraska; to change
3 provisions relating to family size; and to repeal the
4 original section.

5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 68-1724, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 68-1724 (1) Cash assistance shall be provided for a
4 period or periods of time not to exceed a total of two years for
5 recipient families with children subject to the following:

6 (a) If the state fails to meet the specific terms of
7 the self-sufficiency contract developed under section 68-1719, the
8 two-year time limit established in this section shall be extended
9 for an additional period of not more than two years;

10 (b) The two-year time period for cash assistance shall
11 begin when the self-sufficiency contract is signed or when any
12 children born into the recipient family ~~prior to the initial ten~~
13 ~~months of assistance~~ reach the age of six months, whichever is
14 later;

15 (c) When no longer eligible to receive cash assistance,
16 assistance shall be available to reimburse work-related child care
17 expenses even if the recipient family has not achieved economic
18 self-sufficiency. The amount of such assistance shall be based on a
19 cost-shared plan between the recipient family and the state which
20 shall provide assistance up to one hundred eighty-five percent
21 of the federal poverty level for up to twenty-four months. A
22 recipient family may be required to contribute up to twenty percent
23 of such family's gross income for child care. It is the intent
24 of the Legislature that transitional health care coverage be made
25 available on a sliding-scale basis to individuals and families

1 with incomes up to one hundred eighty-five percent of the federal
2 poverty level if other health care coverage is not available;

3 (d) After receiving cash assistance under this section
4 for two years at a monthly payment level not exceeding that
5 provided in section 43-512, families shall receive no further cash
6 assistance pursuant to this section for at least two years after
7 the assistance period ends; and

8 (e) The self-sufficiency contract shall be revised and
9 the two-year time period for cash assistance extended when there is
10 no job available for adult members of the recipient family. It is
11 the intent of the Legislature that available job shall mean a job
12 which results in an income of at least equal to the amount of cash
13 assistance that would have been available if receiving assistance
14 minus unearned income available to the recipient family.

15 The department shall develop policy guidelines to allow
16 for cash assistance to persons who have received the maximum
17 cash assistance provided by this section and who face extreme
18 hardship without additional assistance. For purposes of this
19 section, extreme hardship means a recipient family does not have
20 adequate cash resources to meet the costs of the basic needs of
21 food, clothing, and housing without continuing assistance or the
22 child or children are at risk of losing care by and residence with
23 their parent or parents.

24 (2) Cash assistance conditions under the Welfare Reform
25 Act shall be as follows:

1 (a) Adults in recipient families shall mean individuals
2 at least nineteen years of age living with and related to a
3 child eighteen years of age or younger and shall include parents,
4 siblings, uncles, aunts, cousins, or grandparents, whether the
5 relationship is biological, adoptive, or step;

6 (b) The payment standard shall be based upon family size;
7 ~~Any child born into the recipient family after the initial~~
8 ~~ten months of participation in the program shall not increase~~
9 ~~the cash assistance payment, except that child support or other~~
10 ~~income received on behalf of such child or children shall not~~
11 ~~be considered as countable income to the recipient family in~~
12 ~~determining the amount of their cash assistance payment;~~

13 (c) The adults in the recipient family shall ensure that
14 the minor children regularly attend school. Education is a valuable
15 personal resource. The cash assistance provided to the recipient
16 family may be reduced when the parent or parents have failed to
17 take reasonable action to encourage the minor children of the
18 recipient family ages sixteen and under to regularly attend school.
19 No reduction of assistance shall be such as may result in extreme
20 hardship. It is the intent of the Legislature that a process be
21 developed to insure communication between the case manager, the
22 parent or parents, and the school to address issues relating to
23 school attendance;

24 (d) Two-parent families which would otherwise be eligible
25 under section 43-504 or a federally approved waiver shall receive

1 cash assistance under this section;

2 (e) For minor parents, the assistance payment shall be
3 based on the minor parent's income. If the minor parent lives
4 with at least one parent, the family's income shall be considered
5 in determining eligibility and cash assistance payment levels for
6 the minor parent. If the minor parent lives independently, support
7 shall be pursued from the parents of the minor parent. If the
8 absent parent of the minor's child is a minor, support from his or
9 her parents shall be pursued. Support from parents as allowed under
10 this subdivision shall not be pursued when the family income is
11 less than three hundred percent of the federal poverty guidelines;
12 and

13 (f) For adults who are not biological or adoptive
14 parents or stepparents of the child or children in the family,
15 if assistance is requested for the entire family, including the
16 adults, a self-sufficiency contract shall be entered into as
17 provided in section 68-1719. If assistance is requested for only
18 the child or children in such a family, such children shall be
19 eligible after consideration of the family's income and if (i)
20 the family cooperates in pursuing child support and (ii) the minor
21 children of the family regularly attend school.

22 Sec. 2. Original section 68-1724, Reissue Revised
23 Statutes of Nebraska, is repealed.